

## **REMARKS**

The Examiners' courtesies extended to the undersigned in the prior interview have been most sincerely appreciated. Further to the discussions in said interview, the present amendments are now submitted in the interest of obtaining an early allowance. The present amendments include features as discussed to be incorporated into the claims. It is submitted that the present claims are very clearly in condition for allowance. The prior art does **not even remotely** teach the assorted features as recited in these present claims.

### **Objections to the Drawings Under 37 C.F.R. 1.121(d):**

It is most sincerely submitted that the Patent Office's objection to the drawings is not clear. It is not understood which drawings are being objected to, nor which portions of which drawings. Please note that the Patent Office receives different copies of drawings from that which are in our files (e.g., photocopies of drawings). Accordingly, it is difficult to appreciate the specific problems without the Patent Office's identifications of portions objected to.

Based upon our review of our figures, it appears that FIG. 19 has some portions written in by hand that may be objected to by the Patent Office. Accordingly, in response to the Patent Office's objection to the drawings, FIG. 19 is now replaced with new FIG. 19. No new matter has been added to the drawings. Approval of these drawings is most respectfully requested.

### **Rejections of the Claims Under 35 U.S.C. 112:**

In response to the Patent Office's rejections of claim 19, the claim has been amended so as to utilize more preferable language. It is respectfully submitted the claims are proper under this section of the United States Code.

### **Rejections Based on References:**

In the Office Action, claims 1, 2, 12-16 and 19-21 were rejected under 35 U.S.C. 103 over Yuen in view of Chrabaszczyk and further in view of Fox, claims 3-5 and 17 were also rejected under 35 U.S.C. 103 over Yuen in view of Chrabaszczyk and further in view of Fox, claims 6-11 were also rejected under 35 U.S.C. 103 over Yuen in view of Chrabaszczyk and further in view of Fox, and claim 18 was rejected over Yuen in view of Chrabaszczyk and further in view of Fox, and further in view of Marsh. These rejections are most respectfully traversed, as follows.

### **Uniqueness of the Present Invention**

#### **1. Maintains Benefits of Physical Books (In Both Handling of the Medium and Use of the Medium).**

a. **Handling:** By, among other things, implementing the electronic book on a "single computer readable medium" that is contained within a "container housing" as recited in claim 1, the electronic book can be physically handled in a manner very similar to physical books. For example, a user can purchase a physical book from a retailer, can provide a physical copy of the book as a gift, can store physical copies of books in physical libraries and/or the like.

In this regard, the provision of a single computer readable medium

that includes **all** of the features as recited in claim 1 is very valuable and not contemplated in the background art (and, notably, not contemplated in the Yuen reference). Among other things, it is noteworthy that this single computer readable medium is **both** packaged and easily handled in a manner similar to a common physical book **and also** includes features that enable the electronic book to be used via a computer in a manner similar to a physical electronic book – i.e., thus enabling a user to a) **handle** the computer readable medium like a common book and to b) **use** the software contained on the computer readable medium in a manner similar to a common book.

**b. Use:** By, among other things, providing the computer readable medium with software that displays an electronic book in a manner akin to a physical book in appearance during use (e.g., during use while reading), such as, e.g., having text displayed in a fixed non-scrolling manner, a reader's use of the electronic book can be substantially similar to that of a physical book.

In this regard, a reader can read the electronic book in a similar manner to a physical book (such as, e.g., in an open one or two-page format, with non-scrolling text, etc.).

## **2. Provides Further Benefits Significantly Beyond Existing Physical Books And Existing Electronic Books.**

**a. Enhanced Use:** By, among other things, providing a “computer-readable-medium-electronic-book assembly” having the above **a)** similar handling to a physical book (see part a above) and **b)** similar use to a physical book (see part b above), with **i)** a **synchronization file** linking time signatures of the pre-recorded audio narration with locations in the electronic text stored on said computer readable

medium, **ii)** a **reader program** adapted to cause a computer to display text of the book, to play the pre-recorded audio narration of the book, and to allow a user to link there-between as desired using the linking file stored on said computer readable medium, and **iii)** a corresponding segment of the text for which the pre-recorded audio narration is concurrently played is highlighted in such a manner that the **highlighting moves downward along the corresponding fixed non-scrolling page of text as the audio narration is played**, enables all the advantages of physical books plus additional advantages.

By way of example, with the recitations recited in claim 1, a user can concurrently listen to an actual recording of a human voice and view the electronic book in a non-scrolling open-book format akin to an open book, while a segment of text corresponding thereto is **concurrently highlighted as the audio narration is played**. In this manner, a reader's appreciation and/or understanding of the literary work can be greatly enhanced. Among other things, this can greatly facilitate a variety of uses, such as, e.g., teaching (such as, e.g., language and/or reading), apprehension by concurrent auditory and visual observations (in this regard, reproduction of actual human voices are greatly preferred for maximum auditory retention).

### **3. Substantial Contrast to Existing Audio Books and Existing Electronic Books.**

In contrast to existing audio books and existing electronic books, the preferred embodiments of the invention incorporate desirable aspects of physical books that are typically absent from existing audio books and existing electronic books, such as, e.g., the ability to handle such books in a manner similar to a common physical book – such as, e.g., discussed above – enabled by, inter alia, the above-referenced computer

readable medium, etc., and the ability to use a unique combined electronic-audio book in a manner similar to common physical books – such as, e.g., discussed above – enabled by, inter alia, the above-discussed features that provide a non-scrolling text presentation concurrently with an audio narration by an actual human voice. Notably, prior efforts to combine audio and text presentations in electronic books have involved, e.g., the use of a scrolling text presentation concurrently to an electronically created audio presentation. As should be appreciated based on the present application and this response, there are great deficiencies in scrolling presentations and in use of audio presentations that do not include actual recordings of the human voice.

#### **Deficiencies of the Yuen Reference**

As should be appreciated, the Yuen reference has a variety of deficiencies. Among these deficiencies, the Yuen reference merely focuses on linking of audio and text, without any regard for a) providing an electronic book that can be “handled” in a worthwhile manner, or b) providing an electronic book that can be “used” in a worthwhile manner, or c) providing a co-presented linked audio and text presentation in a manner to achieve substantial benefits over existing systems and methods, with highlighting of non-scrolling texts in conjunction with a human voice narration.

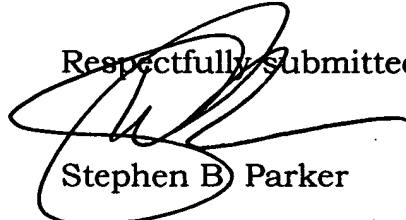
The remaining references cited in the Office Action do not even remotely fulfill the deficiencies of the Yuen reference nor teach or suggest the features recited in claim 1 as amended.

## **Concluding Remarks**

Early reconsideration and allowance of the application in view of the present amendments and remarks is respectfully requested. To ensure appropriate broad interpretation of claim terminology, the following additional statements are made for establishing a clear and precise record. In the claims, the terminology “highlight” means “emphasis” rather than referring to a particular form of “emphasis,” and may include, e.g., bolding of letters, changing of fonts or sizes of letters, changing backgrounds adjacent letters, following text with a pointer, highlighting with colors (e.g., similar to with a common highlighting-marker) and/or the like. In claim 1, the language “picture that is visible from a front surface thereof that is substantially the same as that on a hard-cover copy of the book” does not require the same or substantially the same overall image to appear on a hard-cover copy of the book, but merely that a picture on the container (e.g., which can be a subset of an image on the container and is not required to be an entire image on the container) be substantially the same as a picture on a hard-cover copy of the book (e.g., which can be a subset of an image thereon and is not required to be an entire image thereon). Moreover, the language “hard-cover copy of the book” includes any physical copy of the book that is not in electronic form (i.e., the terminology hard-cover copy, as used in the claims, encompasses any physical form instead of purely electronic or non-physical forms), such as, e.g., where pages of a book may be flexible, substantially rigid or the like, which can include paper back books, etc.

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Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Stephen B. Parker", is written over the text "Respectfully Submitted,".

Stephen B. Parker

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